SINGLE BENCH (2)

(4)

CF1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (C) NO. 5565 /2006

PETITIONER : Sudama Prasad Shukla Aged 56 years, S/o. Sharda Prasad Shukla, R/o. Green Park Jarhabhata, Bilaspur, District Bilaspur (Chhattisgarh)

P.R. No. 5575/06
Presented by M.K. Bramhane
dated 9/10/06

VERSUS

RESPONDENTS : 1] State of Chhattisgarh, Through: Secretary, Mineral Resources, (खनिज संसाधन) D.K.S. Bhawan, Raipur, District Raipur (CG)

2] Collector, (Mining) Bilaspur District Bilaspur (Chhattisgarh)

3] Asst. Mining Officer, Bilaspur, District Bilaspur (Chhattisgarh)

4] Deputy Collector, Bilaspur, District Bilaspur (Chhattisgarh)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(43)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WPC 5565/06

मामला क्रमांक ..... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	21.12.2006 Shri Manoj Paranjape, counsel for the petitioner. Shri Sanjay S Agrawal, Government Advocate for the respondents / State. Heard. Respondents did not file any return though they have been afforded opportunity vide order dated 08.11.2006. Both the parties are heard finally. Vide Annexure P/4, petitioner was leased Khasra No.61/1 area 4.00 acres from 07.08.2006 to 06.08.2007 under certain conditions for extracting boulders under mining lease. Without any breach of conditions or giving any opportunity to the petitioner, operation of the contract has been stayed vide annexure P/6 dated 04.10.2006. Undisputedly, when a contract was there and the petitioner did not commit any breach of conditions, the contract could not have been stayed in such a fashion. In the result, the petition is allowed. Impugned order Annexure P/6 dated 04.10.2006 is hereby quashed. No costs. In the light of above order, M.(W.)P.No.4258/2006 & IA No.11537/2006 stand disposed of. Sd/- V.K. Shrivastava Judge	

padma

(पीछे देखिये)